

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

MICHAEL A. BURNHART,

Petitioner,

v.

JAMES THATCHER,

Respondent.

Case No. C05-1603-JLR-JPD

ORDER OF DISMISSAL

The Court, having reviewed petitioner's petition for writ of habeas corpus, petitioner's motion for oral argument, all briefing submitted by the parties related to both the petition and the motion for oral argument, the Report and Recommendation of the Honorable James P. Donohue, United States Magistrate Judge, and the balance of the record, does hereby find and Order:

- (1) The Court adopts the Report and Recommendation.
- (2) Petitioner's federal habeas petition (Dkt. No. 4) is DISMISSED with prejudice.
- (3) The Clerk is directed to send copies of this Order to all counsel of record and to Judge Donohue.

DATED this 21st day of July, 2006.


JAMES L. ROBART
United States District Judge